HONORABLE CITY PLANNING COMMISSION CINCINNATI, OHIO

August 4, 2006

SUBJECT:

A report and recommendation on a re-plat of Lots 5 and 33 of the Sonoma Hill Subdivision, creating Lots 5A and 33A, located north of the Sonoma Court and Strathmore Drive intersection in the Madisonville neighborhood.

McGill Smith Punshon, Inc., Civil Engineers on behalf of Kenko Corporation, the owner and developer has submitted a re-plat of Lots 5 and 33 of the Sonoma Hill Subdivision creating Lots 5A and 33A. The re-plat has been reviewed and approved by all reviewing agencies.

BACKGROUND:

On December 17, 2004 the City Planning Commission approved a Plat of Subdivision for of the Sonoma Hill Subdivision. The subdivision was approved with 33 lots. The existing zoning is Single Family (SF) 4,000.

The construction of new single-family homes is currently in progress.

The re-plat of Lots 5 and 33 is necessary due to topographical grading and utility issues in regards to the placement of a new residential structure on Lot 5.

RECOMMENDATION:

Respectfully Submitted:

The staff of the Department of Community Development and Planning recommends that the City Planning Commission take the following action:

"Approve the re-plat of Lots 5 and 33 of the Sonoma Hill Subdivision, creating Lot 5A and 33A located north of the Sonoma Court and Strathmore Drive intersection for the reasons that the plat conforms with the Subdivision Regulations and has the approval of all reviewing agencies."

respectivity Submittee.	
Approved:	Stephen C. Briggs Senior City Planner
Margaret A. Wuerstle, AICP Chief Planner	

THE LOTS IN CONDITIONS ...

CLERK OF

COUNCIL

HEREBY CERTIFY THAT THE STORM SEWER WAS ACCEPTED BY THE ORDINANCE NO. ___

CINCINNATI DRAINAGE LIMITS AS SHOWN ON THIS PLAT ARE NOT ACCEPTED BY THE CITY OF CINCINNATI OR THE HAMILTON COUNTY BOARD OF COMMISSIONERS. THE CITY OF CINCINNATI AND THE HAMILTON COUNTY BOARD OF COMMISSIONERS ARE NOT RESPONSIBLE TO MAINTAIN, REPLACE, OR REPAIR ANY CHANNELS OR INSTALLATIONS WITHIN SAID LIMITS. THE SAID LIMITS AND ALL IMPROVEMENTS WITHIN IT SHALL BE MAINTAINED CONTINUOUSLY BY THE OWNER, HIS ASSIGNS, SUCCESSORS OR HEIRS OF REAL ESTATE WITHIN THE LIMITS. NO STRUCTURES, PLANTINGS, OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD, OR CHANGE THE DIRECTION OF THE FLOW OF WATER THROUGH THE DRAINAGE CHANNEL IN THE SAID LIMITS. PERMISSION SHALL BE OBTAINED IN WRITING FROM THE METROPOLITAN SEWER DISTRICT OF GREATER CINCINNATI, OHIO AND THE CITY OF CINCINNATI STORM WATER MANAGEMENT PRIOR TO ANY CHANGES MADE TO THE SAID LIMITS. IN THE EVENT THAT THE PRIVATE DRAINAGE SYSTEM LOCATED WITHIN THE LIMITS OF THIS DEVELOPMENT IS NOT MAINTAINED TO THE SATISFACTION OF THE CITY OF CINCINNATI, THEN THE CITY SHALL HAVE RIGHT TO ENTER UPON THE LOTS WHERE THE DRAINAGE SYSTEM IS LOCATED, TAKE ANY CORRECTIVE ACTION IT DEEMS NECESSARY, AND CHARGE THE OWNERS THE LOTS IN THE SUBDIVISION FOR SUCH CORRECTIVE ACTION. THE DEDICATORS OF THIS PLEOT THEMSELVES, THEIR HEIRS, SUCCESSORS AND ASSIGNS, HEREBY HOLD THE CITY OF CINCINNATI HARMLESS FOR ANY DAMAGES THE CITY, ITS EMPLOYEES, AGENTS OR CONTRACTORS MAY CAUSE IN TAKING ANY CORRECTIVE ACTION TO THE DRAINAGE SYSTEM LOCATED UPON THE LOTS ON THIS PLAT. THE CITY OF CINCINNATI AND THE HAMILTON COUNTY BOARD OF COMMISSIONERS DO NOT ACCEPT ANY PRIVATE SEWER EASEMENTS ON THIS PLAT. THE CITY OF CINCINNATI AND THI HAMILTON COUNTY BOARD OF COMMISSIONERS ARE NOT OBLIGATED TO MAINTAIN, REPAIR, OPERATE ANY PRIVATE SEWER LINE IN THE SUBDIVISION. OPERATION AND MAINTENANCE OF PRIVATE SEWER LINES WITHIN THE SUBDIVISION ARE THE OBLIGATION OF THE OWNERS OF LOTS USING THE PRIVATE SEWER LINES. ANY DEVIATION FROM THE AFORESAID RESTRICTIONS SHALL BE PETITIONED BY REQUEST TO THE GRANTEES OR THEIR ASSIGNS. EACH SUCH REQUEST SHALL ON AN INDIVIDUAL BASIS. ANY OF THE AFORESAID SURFACES, PAVED AREAS, PLANTS, TREES, SHRUBBERY, FENCES, LANDSCAPING OR OTHER SIMILAR ITEMS WHICH MAY BE PLACED UPON SAID PERMANENT EASEMENT SHALL BE SO PLACED AT THE SOLE EXPENSE OF THE PROPERTY OWNER, AND THE GRANTEES OR ASSIGNS OF ANY PERMANENT EASEMENT HENCEFORTH SHALL NOT BE RESPONSIBLE TO ANY PRESENT OWNERS OF THE PROPERTY NOR TO THEIR HEIRS, EXECUTORS, ADMINISTRATORS OR ASSIGNS, FOR THE CONDITION, DAMAGE TO OR REPLACEMENT OF ANY SUCH AFORESAID ITEMS, OR ANY OTHER ITEMS PLACED UPON THE EASEMENT, RESULTING FROM THE EXISTENCE OR USE OF THE SAID PERMANENT SEWER BY THE GRANTEES OR ASSIGNS. NO STRUCTURE OF ANY KIND WHICH CAN INTERFERE WITH ACCESS TO SAID PUBLIC SEWER SHALL BE PLACED IN OR UPON A PERMANENT SEWER EASEMENT, EXCEPTING ITEMS SUCH RECREATIONAL SURFACES, PAVED AREAS FOR PARKING LOTS, DRIVEWAYS, OR OTHER SURFAUSED FOR INGRESS AND EGRESS, PLANTS, TREES, SHRUBBERY, FENCES, LANDSCAPING OR OTHER SIMILAR ITEMS, BEING NATURAL OR ARTIFICIAL. NO PART OF ANY DRIVEWAY APPROACH WITHIN THE ROAD INSTALLED CLOSER THAN FIVE (5) FEET FROM ANY INLET, ANCHOR, OR CLOSER THAN FIVE (5) FEET FROM ANY FIRE ANY STRUCTURE CONSTRUCTED ON SAID PROPERTY IN WHICH SAID PERMANENT SEWER EASEMENT EXISTS SHALL BE KEPT NOT LESS THAN THREE (3) FEET OUTSIDE THE PERMANENT SEWER EASEMENT LINE NEAREST THE SITE OF THE PROPOSED STRUCTURE, EXCEPT THIS RESTRICTION DOES NOT APPLY TO ALL STORM SEWER EASEMENTS. SEWERS WERE ACCEPTED FOR OPERATION AND MAINTENANCE WITHIN THE

-WAY OF STREETS AND SANITARY SEWER EASEMENTS AS SHOWN HEREON ON APRIL

A.D., BY, ON BEHALF OF AND IN THE NAME OF THE COUNTY OF HAMILTON AND

IE AUTHORITY OF ITS BOARD OF COUNTY COMMISSIONERS BY VIRTUE OF R.C. SECTION

IN THE RESOLUTION ADOPTED JANUARY 14, 2005, AND ENTERED IN THE JOURNAL OF THIS SUBDIVISION SHALL BE SUBJECT TO THE RESTRICTIVE AND RESERVATION OF EASEMENTS AS RECORDED IN BOOK UNTY, OHIO RECORDER'S OFFICE. EASEMENT(S) SHOWN HEREON THE CITY) RIGHT-OF-UTILITY OR E HYDRANT. -WAY GUY COVENANTS DNCK CREEK ROAD E SONOMA HILL COMMUNITY ASSOCIATION AND/OR OWNERS AT THEIR SOLE EXPENSE SHALL NSTRUCT, MAINTAIN, AND RENOVATE AS NECESSARY THE DEPICTED PRIVATE STORM AINAGE BASIN AND RELATED GRADING AND FACILITIES INCLUDING, BUT NOT LIMITED TO THE AINAGE CHANNEL LEADING FROM THE CITY OF CINCINNATI DISCHARGE PIPES (INCLUDING ANY TITER WITHIN THE PUBLIC EASEMENT AREA) DIKES, HEADWALLS, AND RELEASE STRUCTURE IN ACCORDANCE WITH THE APPROVED IMPROVEMENT DRAWINGS FOR THE SONOMA HILL BOIVISION, ACC. NO.______ON FILE WITH WITH THE CITY OF CINCINNATI PARTMENT OF TRANSPORTATION AND ENGINEERING. NO MODIFICATIONS SHALL BE MADE TO CH BASIN, GRADING, AND FACILITIES (INCLUDING IN PARTICULAR ANY CHANGE IN THE RATE RELEASE) EXCEPT IN ACCORDANCE WITH PLANS AND SPECIFICATIONS APPROVED IN WRITING ADVANCE BY THE METROPOLITAN SEWER DISTRICT ENGINEERING DIVISION. CITY OF CINCINNATI DEED NOT FOUND CITY OF CII STRATHMORE D ACCEPTANCE D.B. P.B. 222, DAVIS 1-10-32 CHARLOE 3 STREET NSON 0-33 0,HEARN 51-10-34 SOCIATION AND/OR OWNERS GRANT AN IRFACES STORM WATER AND OTHER DRAINAGE THROUGH THE DEPICTED PUBLIC STORM SEWER O THE DEPICTED PRIVATE DRAINAGE AND COST RESULTING AND DRAINAGE INTO THE PRIVATE DRAINAGE CINCINNATI E DEDICATION & .B. 4184, PG. 1025 22, PG. 67 CERTIFICATION: 30 JOHNSON 51-10-62 29 DUSEBOUT 51-10-63 28 S P.B.44, PG.3-D RIV 27 R \triangleright CHARLOE TH 26 ≥ COURT 25 0 R LANDS 24 OWNER DAVIS 51-10-151 OWNER / DEVELOPER
SONOMA HILL, LLC.
426 HEATHERHILL LANE
CINCINNATI, OHIO 45206 23 OF VICINITY . I P.B. 44, 22 WILLIAMS 51-10-152 THE SONOMA = KANAUGA COURT 100 S **MA** DEDICATOR REMBERT 51-10-153 GRAY 51-10-155 RUFF / ELLISON 51-10-157 FATH PROPERTIES LIMITED PARTNERSHIF O.R. 7469, PG. 697, PARCEL II 51-10-187 WYNN -10-158 LEWIS \$1,480m/s COURT **N** 21 S 20 19 8 17 HOLT \ 6 15 AS SET FORTH ON THIS RECORD PLAT, CERTAIN LOTS ARE SUBJECT TO AND BENEFITTED BY EASEMENTS FOR INGRESS, EGRESS AND UTILITIES. THE LOTS SUBJECT TO AND BENEFITTED BY SUCH EASEMENTS SHALL BE KNOWN AS "COMMON DRIVEWAY LOTS" AND THE OWNERS OF SUCH LOTS SHALL USE THE COMMON DRIVEWAY SITUATED ON SUCH EASEMENT SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS: LOT OWNERS NOT UTILIZING THE COMMON DRIVEWAY RESPONSIBILITIES OR COST OUTLINED ABOVE. EACH LOT OWNER SHALL USE THE COMMON DRIVEWAY WITH DUE REGARD FOR THE RIGHTS OF THE OTHER LOT OWNERS AND THEIR USE OF SUCH DRIVEWAY. NO LOT OWNER SHALL USE OR PERMIT THE USE OF THE DRIVEWAY IN ANY MANNER WHICH IMPAIRS THE RIGHTS OF THE OTHER LOT OWNERS TO THEIR USE NOR SHALL ANY LOT OWNER PARK OR STORE VEHICLES OR OTHER PERSONAL PROPERTY ON, OR OBSTRUCT OR ENCROACH UPON OR PERMIT THE OBSTRUCTION OR ENCROACHMENT UPON, THE DRIVEWAY IN ANY MANNER WHATSOEVER WITHOUT THE CONCURRENCE OF ALL LOT OWNERS ENTITLED TO USE THE DRIVEWAY. COMMON DRIVEWAY AGREEMENT LOTS 33 JPON CONVEYANCE OF A LOT, THE GRANTOR OF SUCH LOT SHALL BE, AS OF THE CLOSING NATE FOR SUCH CONVEYANCE, RELIEVED OF THE OBLIGATION TO SHARE IN THE EXPENSE AND COST OF FUTURE MAINTENANCE AND REPAIR IMPOSED HEREBY, AND THOSE OBLIGATIONS SHALL SHALL SHAPPERSONALLY DURING AND AFTER HIS PERIOD OF OWNERSHIP FOR ANY EXPENSES AND COST OCCURRED FOR MAINTENANCE AND REPAIRS DURING HIS PERIOD OF OWNERSHIP OF THE LOT. ACH LOT OWNER UTILIZING THE DRIVEWAY SITUATED ON THE COMMON DRIVEWAY LOT SHALL HARE EQUALLY IN THE EXPENSE AND COST OF MAINTAINING, IMPROVING AND REPAIRING THE COMMON DRIVEWAY, EXCEPT THAT ANY DAMAGE OTHER THAN ORDINARY WEAR AND TEAR AUSTRUSED BY ANY LOT OWNER OR ANY PARTY CLAIMING THROUGH SUCH LOT OWNER, WHETHER BY NEGILIGENCE OR OTHERWISE, SHALL BE REPAIRED AT THE EXPENSE OF SUCH PARTY. THE DRIVEWAY SHALL BE MAINTAINED IN GOOD REPAIR AND IN A CONDITION SUBSTANTIALLY SIMILAR TO THAT OF ITS ORIGINAL CONSTRUCTION. THE DECISION TO PERFORM MAINTENANCE OF PROVIDE FOR SNOW REMOVAL SHALL BE MADE BY AT LEAST A MAJORITY OF THE LOT OWNERS UTILIZING THE DRIVEWAY SITUATED ON SUCH COMMON DRIVEWAY LOT. 6 MARY J. FLOWERS O.R. 4915, PG. 173 51-10-138 7 \odot 9 10 \rightrightarrows 12 33A <u>3</u> FREEDOM HOME LOAN 51-10-123/ CUNNINGHAM 51-10-125 ROMINE 1-10-124 CARTER 51-10-132 FLOWERS 51-10-128 LEWIS 51-10-130 MOON 51-10-131 STRICKLING 51-10-133 WEST -10-127 REED -10-129 BRYANS 51-10-122 P.B. ANIOTIN COURT 5A

SUBDIVI C .44-47

COLUMBIA TOWNSHIP

WE, THE UNDERSIGNED, DO HEREBY ADOPT AND CONFIRM THIS PLAT AND GRANT UNTO THE CITY OF CINCINNATI, ITS SUCCESSORS AND ASSIGNS, EASEMENTS FOR STORM SEWERS AS SHOWN HEREON, BEING EQUIDISTANT ON EACH SIDE OF THE CENTERLINE OF THE SEWER AS CONSTRUCTED AND SUBJECT TO RESTRICTIONS ON SEWER EASEMENTS AS DESCRIBED HEREON. WE ALSO GUARANTEE THE PAYMENT OF ALL TAXES AND ASSESSMENTS THAT ARE A LIEN ON THE ON THE PROPERTY ON THE DATE OF ACCEPTANCE. WE ALSO DO HEREBY ADOPT AND CONFIRM THIS PLAT OF PRIVATE DRAINAGE LIMITS. WE ALSO DO HEREBY ADOPT AND CONFIRM THIS PLAT OF PRIVATE DRAINAGE LIMITS. WE ALSO ACKNOWLEDGE THAT SAID DRAINAGE LIMITS AS SHOWN ON THIS PLAT SHALL BE RESERVED FOR STORM SEWERS, PRIMARY STRUCTURES AND DETENTION BASIN PURPOSES ONLY AND SUBJECT TO THE TERMS AND CONDITIONS OF THE PRIVATE DRAINAGE LIMITS NOTE AS DESCRIBED HEREON. WE ALSO GRANT UNTO THE COUNTY OF HAMILTON, OHIO ITS SUCCESSORS AND ASSIGNS EASEMENTS FOR SANITARY SEWERS AS CONSTRUCTED AND SHOWN HEREON. SANITARY SEWER EASEMENTS ARE ALSO FOR THE USE AND BENEFIT OF ADJACENT LOTS AND/OR FUTURE DEVELOPMENTS FOR THE PURPOSE OF INSTALLATION, OPERATION, MAINTENANCE, REPAIR, EXTENSION, OR REPLACEMENT OF SANITARY SEWER BUILDING CONNECTIONS AND/OR SANITARY MAINLINE SEWERS APPROVED BY M.S.D.

THUNDER 51-10-121

COUNTY OF STATE OF C

OHIO SS:

BY: __

TITLE:

OWNER:

SONOMA HILL LLC., AN OHIO LIMITED LIABILITY COMPANY

LEO D'SOUZA O.R. 7149, PG. 31 520-241-8

NOTARY

NO LIEN

KO CORPORATION
.. CERT. #130809
520-241-21

FOR VALUABLE CONSIDERATION, WE, THE ABOVESIGNED DO HEREBY GRANT TO THE CINCINNATI GAS AND ELECTIRC COMPANY, (THE UNION LIGHT, HEAT, AND POWER COMPANY), CINCINNATI BELL TELEPHONE COMPANY (UNITED TELEPHONE COMPANY OF OHIO), (THE OHIO BELL TELEPHONE COMPANY), THEIR SUCCESSORS AND ASSIGNS, FOREVER, NONEXCLUSIVE EASEMENTS, AS SHOWN ON THE PLAT AND DESIGNATED AS UTILITY EASEMENTS FOR THE CONSTRUCTION, OPERATION MAINTENANCE, REPAIR OR REPLACEMENT OF ANY AND ALL NECESSARY FIXTURES FOR THE OVERHEAD OR UNDERGROUND DISTRIBUTION OF GAS, ELECTRIC, TELEPHONE OR TELECOMMUNICATIONS, OR OTHER UTILITIES. SAID UTILITY COMPANYS SHALL HAVE THE RIGHT TO CUT, TRIM, OR REMOVE ANY TREES, UNDERGROWTH OR OVERHEAD OR BUILDINGS OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID EASEMENTS NOO MOILDINGS OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID EASEMENTS NOO MAY THE EASEMENT AREAS BE PHYSICALLY ALTERED SO AS TO (1) REDUCE CLEARANCES OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; (2) IMPAIR THE LAND SUPPORT OF SAID FACILITIES; (3) IMPAIR ABILITY TO MAINTAIN THE FACILITIES; (4) CREATE HAZARD. TO HAVE AND TO HOLD THE SAID EASEMENTS FOREVER. WE ACKNOWLEDGE HAVING FULL POWER TO CONVEY THIS EASEMENT AND WILL DEFEND THE SAME AGAINST ALL CLAIMS.

THE OWNERS OF ALL PROPERTIES SHOWN ON THIS RECORD PLAT SHALL APPLICABLE SEWER SERVICE CHARGES, ASSESSMENTS, TAP-IN CHARGES BEEN OR MAY BE ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONI CINCINNATI.

ERS RE

SUBJECT TO ALL FEES WHICH HAVE OR THE CITY OF

CHARLOE ST

SITE

STRATHMORE DR.

PLAT APPROVED BY THE PLANNING COMM CINCINNATI AT THE MEETING HELD ON THE 200__ A.D.

유

DIRECTOR OF COMMUNITY DEVELOPMENT

PROPERTY ACQUIRED BY SONOMA HILL, L 9459, PAGE 3641, HAMILTON COUNTY RE BOOK 51, PAGE 10, PARCEL 183 OF THE

E HAMILTON COUNTY, OHIO AUDITOR'S OFFICE AND REFERENCED IN AUD.

SECTION 23, TOWN 4, FRACTIONAL RANGE 2 CITY OF CINCINNATI, COLUMBIA TOWNSHIP HAMILTON COUNTY, OHIO

P.B. 392, PAGE 29, HAMILTON COUNTY, OHIO

RECORDER'S OFFICE

SONOMA HILL

REPLAT

OF LOTS

5

Po

NOT SUBJECT TO ANY OF

품

SEWERS CHIEF ENGINEER, M.S.D.

UTILLIY

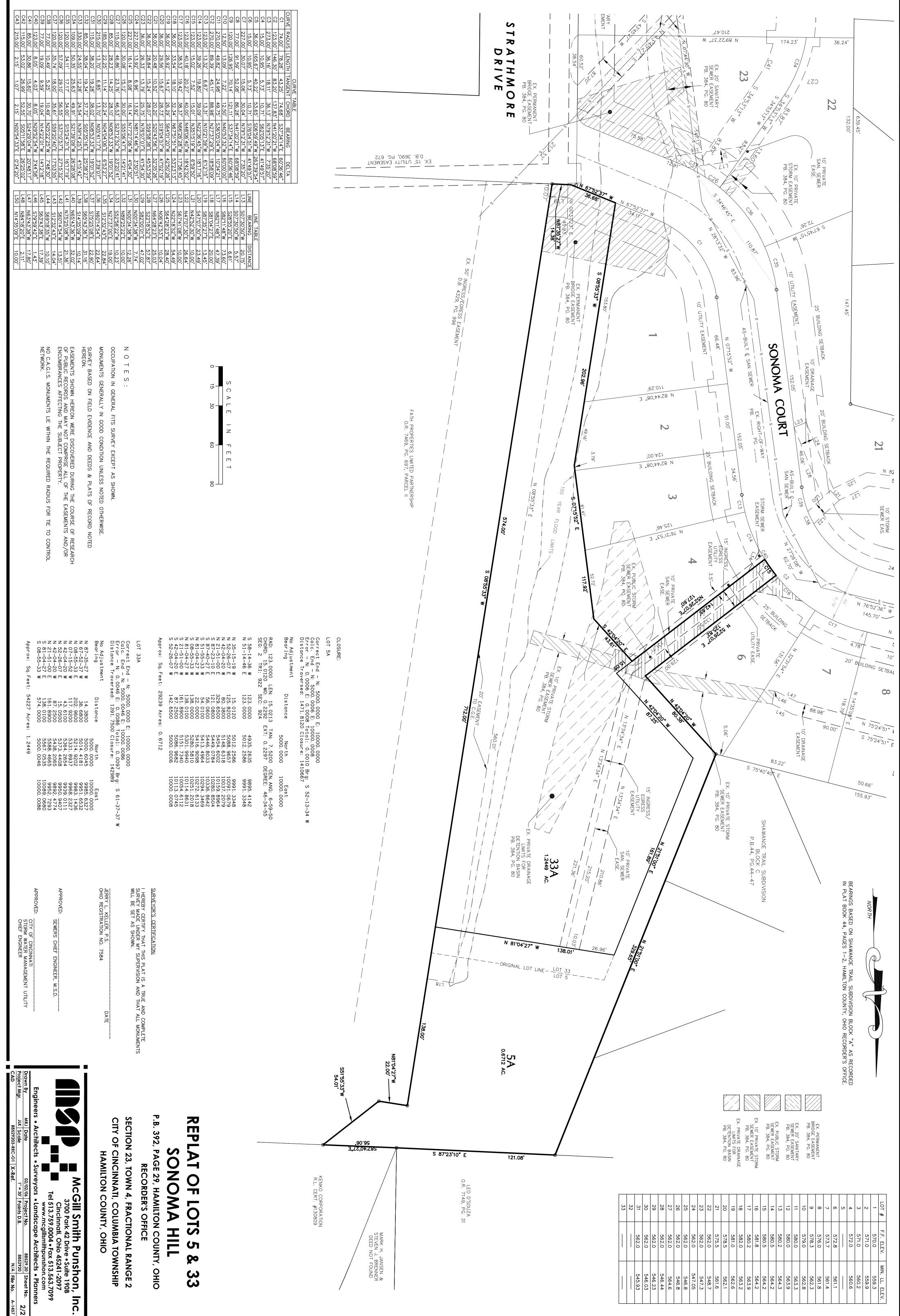
McGill Smith Punshon, Inc.
3700 Park 42 Drive = Suite 1908
Cincinnati, Ohio 45241-2097
Tel 513.759.0004 = Fax 513.563.7099
www.mcgillsmithpunshon.com
Engineers = Architects = Surveyors = Landscape Architects = Planners

Drawn By
Project Mgr.
CAD

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND COMPLETE SURVEY MADE UNDER MY SUPERVISION AND THAT ALL MONUMENTS WILL BE SET AS SHOWN.

IO REGISTRATION NO.

Scale AS NOTED Points D.B.
88529203-REC-00 X-Ref. 1/2



2/2